IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTIETH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION No: 23486 of 2004

Between:

M.A. Gaffar, S/o. Abdul Khader,
R/o. 1-59, Nakarekal, Nalgonda District.

..... PETITIONER

AND

1 State of A.P., rep. by its Secretary to Government, Panchayat Raj and Rural Development Department,
Secretariat, Hyderabad-500022.
2 Commissioner of Panchayat Raj and Rural Development, A.P. Hyderabad-500029.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ of Certiorari call for the records relating to the orders dt. 04.05.2004 made in O.A.5295/1999 by the Hon'ble A.P. Administrative Tribunal (1st respondent) and quash the same and declare the orders of the 2nd and 3rd respondent as arbitrary, illegal and bad and consequently direct the respondents to revise the pension with all consequential benefits and to pass such other orders as this Hon'ble Court deem fit and proper in the circumstance of the case and in the interest of justice.

Counsel for the Petitioner: MOHD.MUMTAZ PASHA

Counsel for the Respondents: GP FOR SERVICES II

The Court made the following:

ORAL ORDER:- (PER GB,J.)

The Writ Petition is filed assailing the order, dated 04.05.2004 passed by the A.P. Administrative Tribunal in O.A.No.5295 of 1999. The order of punishment vide proceedings No.16233/I-2/94, dated 29.04.1995 imposed on the petitioner was assailed before the Tribunal.

2. The petitioner was working as Mandal Development Officer and for proved lapses he was imposed punishment vide letter dated 29.04.1995 withholding one annual grade increment with cumulative effect. However, the petitioner retired from service on 31.10.1995. The petitioner challenged the order of punishment dated 29.04.1995 before the Tribunal and the said O.A. was dismissed on the ground that there was no procedural lapses in conducting enquiry. Aggrieved by the said order, the present Writ Petition has been filed.

3. Learned counsel for the petitioner submits that the order of the Tribunal is not sustainable inasmuch as no opportunity was given to the petitioner and therefore, the order of Tribunal is said to be set aside.

4. We have heard the learned Government Pleader also.

5. We are unable to appreciate the contentions raised by the learned counsel for the petitioner. The learned counsel did not even specify as to how the procedure has been violated. Moreover, he also did not state as to how the punishment has an effect on his pension. Under those circumstances, we do not find any ground to interfere with the order of the Tribunal.

6. Accordingly, the Writ Petition is dismissed. No costs.

G. BIKSHAPATHY, J.

P.S. NARAYANA, J.

Date: 20.01.2005

ES

To

1 The Secretary to Government, State of A.P., Panchayat Raj and Rural Development Department, Secretariat, Hyderabad.
2 The Commissioner of Panchayat Raj and Rural Development, A.P. Hyderabad-500029.

3 The Registrar, A.P. Administrative Tribunal, Hyderabad.

4 2 CCs to the G.P. for Services-II, High Court of A.P., Hyderabad (OUT).

5 2 CD copies.